

JPMV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

O I P E
JUN 17 2004S C G S of
PATENT & TRADEMARK OFFICE

Inventor(s)

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: ESPOSITO, Giuseppe

Application No.: 10 / 747,719 Group No.:

Filed: December 29, 2003 Examiner:

For: METALLIC FRAME STRUCTURE FOR WIDE OPENING SLIDING CLOSURE

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
 37 C.F.R. § 1.8(a)
- with sufficient postage as first class mail.

37 C.F.R. § 1.10*

 as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory.)

TRANSMISSION

- transmitted by facsimile to the Patent and Trademark Office.

Signature

John S. Egbert

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).
 Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Information Disclosure Statement (6-1)—page 1 of _____)

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (2) Each publication or that portion which caused it to be listed; and (3) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

- Exception(s) to above:
 - Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 - Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).

German Patent No. DE 19849518, issued on April 27, 2000 to Witzel, presents a closure of the parallel sliding type whose transparent glass support frame comprises on the lower part of a first base profile in aluminum, to which a box section steel profile is adhered, then adhered to a metal profile with an "L" section that incorporates the sliding track. Above said first base profile a second metal profile slides parallel and supports, in a suitable housing, the covering sheet whose second profile is in turn adhered to a second steel box section profile. The latter, is equipped on the interface facing towards the exterior with an aluminum frame that projects with respect to the closure profile, it contains the sliding mechanism that consists of the set of sliding wheels.

German Patent No. DE 198 17 400, issued on January 14, 1999 to Fischbach, teaches a system of sliding doors with steel components, of the suspension type. In this case, there is a lower profile along which the lower ends of each suspended panel slide whilst being guided.

U.S. Patent No. 5,742,979, issued on April 28, 1998 to Garcia-Hernando, discloses a rolling support assembly having a carrier with a housing configured for lateral reception within a corresponding cavity in a sliding door for frictional reception therein in a manner precluding longitudinal movement out of the cavity. The carrier mounts and provides for vertical adjustment of a depending wheel set offset to underlie the center of weight of the door and engage a pair of wheel rails provided on an underlying track including rail protecting overlying flanges and/or members.

European Patent Publication No. EP 0551961, published July 21, 1993 to Wacker, deals

with the field of suspension sliding doors with steel components. This requires, as for the previous cases, the fixing to the back of the external facade of the opening, along the upper edge, of a metal profile, essentially in a "C" shape which, along the base side, is equipped with a longitudinal rail. On said track there is at least one sliding wheel, fitted to an arm that on its lower part supports the frame of the closure. The lower part of the sliding door is close to the floor and is separated from the latter by the interposition of a watertight seal attached along the lower profile of the door. In this hypothesis, the door, always on the lower part, slides along the back of an anterior metal profile, against which the edge of the panel can make contact. Said anterior metal profile has a side perpendicular to the ground which the lower part of the panel rests on, while on the opposite side there is an inclined side, longitudinally ribbed by means of a reinforcing perpendicular strip, that being inside the profile is not visible.

French Patent No. 275,233, issued to Omer, teaches a structure with suspension sliding doors. The invention has the advantage of not requiring the predisposition of ground guiding means, thus allowing free transit through the opening without any kind of obstacle. In the invention each panel, by means of a rod support device with a corresponding sliding carriage, is supported by a longitudinal guide profile, attached in correspondence to the upper side of the opening.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) the practitioner who signs below on the basis of the information:

(check each applicable item)

- supplied by the inventor(s).
 supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
 in the practitioner's file.

SIGNATURE OF PRACTITIONER

John S. Egbert

(type or print name of practitioner)

Harrison & Egbert

412 Main St., 7th Floor

P.O. Address

Houston, Texas 77002

Reg. No.: 30,627

Tel. No.: () 713-224-8080

Customer No.: 24106

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. Preliminary Statements
2. FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections

, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Please type a plus sign (+) inside this box →

PTO/SB/08A (10-96)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

She

1

1

Complete if Known

Application Number	10/747,719
Filing Date	December 29, 2003
First Named Inventor	ESPOSITO, Giuseppe
Group Art Unit	
Examiner Name	
Attorney Docket Number	1719-76

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered
-----------------------	--	--------------------

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.